

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2437 - HB 2590

February 25, 2012

SUMMARY OF BILL: Prohibits a registered sex offender from knowingly living within 1,000 feet of the property line of a publicly or privately operated licensed day care center, senior living facility, or senior care center.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$9,500/Incarceration*

Assumptions:

- Under current law, registered sex offenders are prohibited from residing within 1,000 feet of the property line of any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public; and from residing within 1,000 feet of the property line on which the offender's former victims or the victims' immediate family members reside. A violation of this section is a Class E felony.
- The Department of Correction (DOC) estimates one additional offender every three years will be convicted of a Class E felony as a result of this bill.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one Class E felony every three years.
- According to DOC, the average operating cost per offender per day for calendar year 2012 is \$61.36. The average post-conviction time served for a Class E felony is 1.28 years (467.52 days) at a cost of \$28,687.03 (\$61.36 x 467.52 days). The annualized cost per offender is \$9,466.72 (0.33 annual number of convictions x \$28,687.03).
- Any increase in caseloads for state trial courts can be accommodated within judicial resources without an increased appropriation or reduced reversion.
- A not significant increase in the caseloads for the District Public Defenders Conference or the District Attorney Generals Conference.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" and last name "Geise" clearly distinguishable.

Lucian D. Geise, Executive Director

/lsc